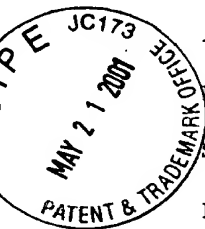


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: MPG-8



In re patent application of  
PARDO-FERNANDEZ, LUIS ANGEL et al.

Serial No. 09/694,777

Filed: October 23, 2000

For: NOVEL HUMAN K<sup>+</sup> ION CHANNEL AND THERAPEUTIC APPLICATIONS  
THEREOF

STATEMENT TO SUPPORT FILING AND SUBMISSION IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently  
herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37  
C.F.R. § 1.821(g), does not include new matter;

2. the content of the attached paper copy and the  
attached computer readable copy of the Sequence Listing, submitted in  
accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same;  
and

3. all statements made herein of their own knowledge are  
true and that all statements made on information and belief are believed to  
be true; and further, that these statements were made with the knowledge  
that willful false statements and the like so made are punishable by fine  
or imprisonment, or both, under Section 1001 of Title 18 of the United

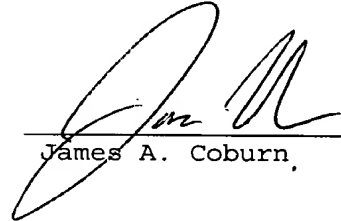
States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.



Date

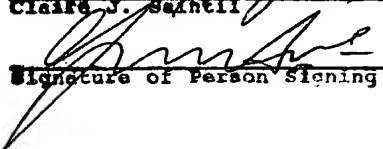
May 15, 2001  
**HARBOR CONSULTING**  
Intellectual Property Services  
1500A Lafayette Road  
Suite 262  
Portsmouth, N.H.  
800-318-3021

Respectfully submitted,

  
James A. Coburn,

I Heraby Certify that this  
Correspondence is being  
Deposited with the U.S.  
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Addressed to: ASSISTANT  
COMMISSIONER FOR  
PATENTS  
WASHINGTON, D.C. 20231 on

May 16, 2001  
Claire J. Santilli

  
Signature of Person Signing



Application No.: 09/694,777

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**



MPG-8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : S. Wegert  
Group Art Unit: 1647  
Applicants : Luis Angel Pardo-Fernández, et al.  
Application No.: 09/694,777 Confirmation No.: Not yet assigned  
Filed : October 23, 2000  
For : NOVEL HUMAN K<sup>+</sup> ION CHANNEL AND THERAPEUTIC APPLICATIONS THEREOF

New York, New York  
May 16, 2001

Honorable Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE RULES

Sir:

This is in response to an April 17, 2001 Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures (hereinafter the "Notice To Comply") in the above-identified application, a response to which is due on May 17, 2001. A copy of the Notice to Comply is enclosed. No extension of time fees are due.

Kindly amend the application as follows:

IN THE SEQUENCE LISTING

Delete the Sequence Listing (pages 1-13) and replace it with the substitute Sequence Listing (pages 1-14) submitted herewith.




## REMARKS

The Notice To Comply states that a copy of the Sequence Listing in computer readable form ("CRF") has not been submitted as required under 37 C.F.R. § 1.821(e). The Notice To Comply further states that applicants must provide an initial or substitute CRF copy of the Sequence Listing and a statement as required by 37 C.F.R. §§ 1.821 or 1.825.

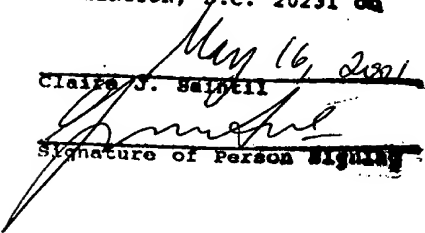
Accordingly, applicants submit herewith a paper and CRF copy of a substitute Sequence Listing. Specifically, applicants have amended the Sequence Listing to correct the name of the applicants, information regarding applications from which this application claims benefit and information regarding the present application. No new matter has been introduced.

Applicants also submit herewith a Statement Under 37 C.F.R. § 1.825(a) and (b) that the content of the substitute paper copy and CRF copy of the Sequence Listing is the same and does not include new matter.

Respectfully submitted,

  
James F. Haley, Jr. (Reg. No. 27,794)  
Elinor K. Shin (Reg. No. 43,117)  
Attorneys for Applicants  
R. Minako Pazdera (Reg. No. 46,984)  
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I hereby certify that this  
correspondence is being  
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COMMISSIONER FOR  
PATENTS  
WASHINGTON, D.C. 20231

  
Claire J. Saitell

Signature of Person Signing